



State Of California

SEISMIC SAFETY COMMISSION

Arnold Schwarzenegger, Governor



Chief Don Parker
*Fire Protection
Chairman*

Lawrence Klein
*Utilities
Vice-Chairman*

Dr. Lucy Jones
Seismology

Andrew Adelman
*Cities/Building
Official*

Hon. Richard Alarcon
State Senate

Chris Modrzejewski
Senate Representative

Mark Church
Local Government

Dr. Bruce Clark
Geology

Hon. Carol Liu
State Assembly

Donald Manning
*Assembly
Representative*

Celestine Palmer
Insurance

Linden Nishinaga
Cities Government

Daniel Shapiro
*Structural
Engineering*

Jimmie Yee
Social Services

Richard McCarthy
Executive Director

Seismic Safety Commission

Minutes of Meeting

May 18, 2005

Hyatt Regency Hotel, Santa Barbara Room

1209 L Street

Sacramento, California

Members Participating

Donald R. Parker, Vice Chair
Mark Church
Don Manning
Linden Nishinaga
Celestine Palmer
Daniel Shapiro
Jimmie R. Yee

Members Absent

Lucy Jones, Chairman
Andrew Adelman
Senator Richard Alarcon/Chris Modrzejewski
Bruce Clark
Lawrence T. Klein
Stan Y. Moy

Staff Present

Richard McCarthy, Executive Director
Karen Cogan, Administrative Officer
Robert Anderson, Staff Geologist
Henry Reyes, Staff Structural Engineer
Rebecca Romo, Legislative Intern
Henry Sepulveda, Director of Legislation
Fred Turner, Senior Structural Engineer

I. CALL TO ORDER/ROLL CALL

The meeting of the Seismic Safety Commission was called to order by Vice Chair Don Parker at 2:47 p.m. Executive Assistant Karen Cogan called the roll and confirmed the presence of a quorum.

II. CHAIRMAN'S REMARKS

Commissioner Parker said Chairman Lucy Jones was unable to attend the meeting due to other commitments.

Commissioner Parker congratulated Mr. Richard McCarthy on his participation and election as chair of the Children 911 organization.

III. BRIEFING ON DISASTER SERVICES OFFERED BY OPERATION HOPE

Mr. Fred Smith, Managing Director, Hope Coalition America, explained that Hope Coalition America has agreements with the Federal Emergency Management Agency (FEMA), the Department of Homeland Security, and other organizations to assist individuals and small businesses with financial issues after disasters.

Operation HOPE created two tools for consumers, the “Personal Disaster Preparedness Guide” and “Emergency Financial First Aid Kit.” Mr. Smith reviewed the information and checklists contained in each document. Mr. Smith requested assistance from the Seismic Safety Commission in distributing these products.

ACTION: Commissioner Shapiro made a motion, seconded by Commissioner Palmer, that:

The Commission adopt the staff recommendation to continue working with Operation HOPE in pursuit of a future joint partnership and project(s) to further promote public education and outreach efforts for California.

* Motion carried, 7 - 0.

IV. CLOSED SESSION

At 3:15 p.m., the Commission adjourned to a closed session for the purpose of discussing pending litigation, pursuant to Government Code Section 11126(e)(1).

The Commission resumed its public meeting at 4:10 p.m.

IX. COMMITTEE REPORTS (Out of Order)

Nominations Committee Report

Commissioner Shapiro reported that the Nominations Committee met by telephone on April 28 to arrive at a recommended slate of officers. He noted that although five commissioners’ terms expired on May 15 and none have been reappointed yet, the committee decided to consider all commissioners eligible to serve as chair, except for the members of the Nominating Committee. The committee decided to choose a vice chair from the non-expiring members, just in case the person chosen as chair is not reappointed. In that event, the vice chair would take over as chair, and the Nominations Committee would reconvene to select a new vice chair.

Commissioner Shapiro reported that the committee recommends Commissioner Parker for chair and Commissioner Lawrence Klein for vice chair.

Commissioner Parker invited nominations from the floor. Commissioner Linden Nishinaga nominated Commissioner Church for vice chair but Commissioner Church declined the nomination.

ACTION: Commissioner Church made a motion, seconded by Commissioner Jimmie Yee, that:

The nominations be closed and that Commissioner Parker be elected chair and Commissioner Klein be elected vice chair.

* Motion carried, 7 - 0.

VIII. LEGISLATION UPDATE (Out of Order)

Mr. Sepulveda said the Legislative Advisory Committee recommends an “oppose unless amended” position on AB 1275 (Frommer). He explained that this bill authorizes \$5 billion in bonds for hospital seismic improvements, but it also contains a “trigger” clause that if the bonds are not approved by the voters, the current 2008 and 2013 deadlines will be suspended for hospitals that have debt-to-capitalization ratios in excess of 50 percent. Mr. Sepulveda recommended seeking amendments to remove the “trigger” provisions.

ACTION: Commissioner Yee made a motion, seconded by Commissioner Palmer, that:

The Commission adopt an “oppose unless amended” position on AB 1275, as recommended.

* Motion carried, 7 - 0.

Mr. Sepulveda drew the Commission’s attention to SB 167 (Speier), a bill that extends the 2013 SB 1953 deadline for hospitals agreeing to accelerate the 2030 deadline to 2020. He said the bill was amended to incorporate a 2015 milestone for submitting plans and a penalty of possible license revocation for noncompliance, consistent with the Commission’s wishes. The language of the bill requires hospitals to adopt a resolution confirming their intention of meeting the 2020 deadline, but the 2020 deadline is not mentioned in the bill itself. Mr. Sepulveda said the staff and the Legislative Advisory Committee recommend that the Commission adopt a “support if amended” position and seek an amendment to state the 2020 deadline in the statute.

ACTION: Commissioner Shapiro made a motion, seconded by Commissioner Yee, that:

The Commission adopt a “support if amended” position on SB 167 as recommended.

* Motion carried, 7 - 0.

Mr. Sepulveda reported that AB 44 (Cohn), regarding use of independent plan reviewers to expedite plan checks for hospital seismic improvements, was withdrawn. He noted the Commission previously adopted a “support if amended” position, and he recommended changing that to neutral.

ACTION: Commissioner Nishinaga made a motion, seconded by Commissioner Yee, that:

The Commission drop the “support if amended” position on AB 44 and take a neutral position.

* Motion carried, 7 - 0.

Mr. Sepulveda recommended changing the Commission’s “support if amended” position on AB 1316 (Salinas) to “watch.” He said the bill was amended to allow use of architects certified by the Office of Statewide Health Planning and Development (OSHPD) for expediting plan reviews. OSHPD indicates the bill is unnecessary because that flexibility already exists.

ACTION: Commissioner Yee made a motion, seconded by Commissioner Shapiro, that:

The Commission change its “support if amended” position to “watch” on AB 1316 as recommended.

* Motion carried, 7 - 0.

Mr. Sepulveda reported that AB 1673 (Nation/Richman), a bill that would have repealed the 2008 deadline for hospitals and accelerated the 2030 deadline to 2020, failed passage before the Assembly Health Committee. He recommended modifying the Commission’s previous position of “support” to “watch.”

ACTION: Commissioner Yee made a motion, seconded by Commissioner Don Manning, that:

The Commission change its “support” position on AB 1673 to “watch” as recommended.

* Motion carried, 7 - 0.

IX. COMMITTEE REPORTS (Continued)

Tsunami Committee Report

Mr. Henry Reyes noted the Commission approved formation of a Tsunami Committee at the April meeting, and he read the names of the committee members. He proposed adding two more: Ms. Crystal Rockwood, National Director of Communications for Pillsbury Winthrop, and Dr. Michael Reichle, Chief Seismologist, California Geological Survey. Mr. Reyes recommended that the Commission approve the scope of work and the new members.

ACTION: Commissioner Nishinaga made a motion, seconded by Commissioner Church, that:

The Commission approve the two new members and the scope of the Tsunami Committee as proposed.

* Motion carried, 7 - 0.

V. APPROVAL OF APRIL 2005 COMMISSION MEETING MINUTES (Out of Order)

ACTION: Commissioner Church made a motion, seconded by Commissioner Nishinaga, that:

The Commission approve the minutes of the April 14, 2005 meeting as presented.

* Motion carried, 7 - 0.

VII. TSUNAMI MITIGATION MEASURES IN SHIZUOKA PREFECTURE, JAPAN (Out of Order)

Mr. McCarthy introduced Mr. Takayoshi Iwata, Director, Disaster Preparedness Bureau, Shizuoka Prefecture, and Dr. Guna Selvaduray, Collaborative for Disaster Mitigation. He said Dr. Selvaduray would be translating Mr. Iwata’s remarks and PowerPoint presentation.

Mr. Iwata said Shizuoka Prefecture’s mitigation program focuses on five important messages to the public: 1) safety first; 2) do not evacuate by car; 3) all valuable items cannot be carried away; 4) identify evacuation locations in advance and go to a tall building if there is not time to leave the area;

and 5) citizens should take precautionary measures like roping and securing furniture and clearing entryways. Mr. Iwata noted Shizuoka Prefecture uses the slogan “Earthquake! Tsunami! Evacuate!” to get these points across.

VI. EXECUTIVE DIRECTOR’S REPORT

Budget Update

Mr. McCarthy drew attention to the list of year-end projects proposed by the staff and welcomed suggestions for additional projects. He said the Commission will discuss the list in more detail at the June meeting.

Update On FEMA Appeal

Mr. Fred Turner said he had no news to report concerning the FEMA appeal.

Disaster Resistant California 2005 Conference

Mr. McCarthy noted the Commission completed its obligations to participate and support the Disaster Resistant California 2005 conference. He said the staff will begin working with the Quake ’06 Alliance to develop activities to commemorate the centennial anniversary of the 1906 San Francisco earthquake.

Update on *Homeowner’s Guide*

Mr. McCarthy reported that the updated *Homeowner’s Guide to Earthquake Safety* was released at a press conference on May 17, and a draft has been posted on the Commission’s Website. He said the new document will take effect on July 1.

Mr. McCarthy said the California Earthquake Authority contributed \$10,000 for a Spanish translation, and the Commission is waiting for a formal agreement to be finalized.

Update on Hetch Hetchy Water Delivery System Review

Mr. McCarthy said the Commission expects to receive a full package on plans to upgrade the Hetch Hetchy water system from the San Francisco PUC within 45 days, and then the Commission will have 90 days to review and comment on the seismic safety impacts.

Recent Education and Outreach Activities

Ms. Cogan reported that she attended the April 30 Living History Day event at the State Capitol. She said the re-enactment was quite interesting and focused on how Sacramento responded to the 1906 earthquake.

She and Commissioner Manning attended an employee-training event at Nestlé Corporation. Mr. McCarthy, and Mr. Robert Anderson and she attended the 2005 Family Safety & Health Expo in Sacramento on May 7.

X. PUBLIC COMMENT

There were no members of the public who wished to address the Commission.

VIII. MISCELLANEOUS & GOOD OF THE MEETING

There were no other items brought to the Commission's attention.

IX. ADJOURNMENT

There being no further business, the meeting of the Seismic Safety Commission was adjourned at 5:07 p.m.

Sue Celli
Office Manager

Approved by:

Richard McCarthy
Executive Director